

MORRIS, NICHOLS, ARSHT & TUNNELL

1201 NORTH MARKET STREET
P.O. Box 1347
WILMINGTON, DELAWARE 19899-1347

302 658 9200
302 658 3989 FAX

August 25, 2005

VIA E-FILING

The Honorable Kent A. Jordan
United States District Court
844 King Street
Wilmington, DE 19801

Dear Judge Jordan:

Re: Ampex Corporation v. Eastman Kodak Company, et al.
C.A. No. 04-1373

I am writing on behalf of plaintiff Ampex to request that Your Honor set a scheduling conference in this action at the Court's earliest convenience.

This action was stayed pursuant to 28 U.S.C. § 1659, pending final determination in a related proceeding before the United States International Trade Commission, Investigation No. 337-TA-527. On August 23, 2005, Ampex filed an August 5, 2005 Order No. 32: Initial Determination Granting Complainant's Motion To Withdraw The Complaint And Terminate Investigation; and an August 23, 2005 Notice Of Commission Decision Not To Review An Initial Determination Terminating The Investigation (D.I. 31).

According to the terms of the December 7, 2004 Stipulated Motion For A Stay And To Extend The Time For Defendants To Respond To The Amended Complaint, entered in this action (D.I. 29), the stay is now lifted and defendants have until September 22 to respond to the Amended Complaint. Ampex submits however that, subject to the Court's schedule, a scheduling conference should go forward in parallel with the pleadings, given that defendants have previously answered, and have conducted extensive discovery, in the ITC proceeding.

Respectfully,

/s/ Jack B. Blumenfeld
Bar No. 1014

cc: Peter T. Dalleo, Clerk (By E-File)
Paul M. Lukoff, Esquire (By E-File)
Thomas Lee Halkowski, Esquire (By E-File)
Norman H. Beamer (By Facsimile)